UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MYLAS ROME,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:22-cv-00823-MTS
	)	
EDUARD CHABALLA, *et al.*,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

This case is before the Court on review of the file. It appears that when Defendant Werner Enterprises, Inc. removed this case, Plaintiff had not yet served multiple Defendants. Pursuant to Federal Rule of Civil Procedure 4(m), if a defendant is not served within ninety days after the complaint is filed, the Court "must dismiss the action without prejudice against that defendant" or "order that service be made within a specified time." Fed. R. Civ. P. 4(m). In cases removed to federal court, the ninety-day period under Rule 4(m) runs from the date of removal, not the date the plaintiff filed the petition in state court. *Taylor v. Clark Equip. Co.*, 4:22-cv-00201-SRC, 2022 WL 1640372, at *6 (E.D. Mo. May 24, 2022) (collecting cases). Over ninety days now have passed since removal.

Accordingly,

IT IS HEREBY ORDERED that, no later than **Friday, November 18, 2022**, Plaintiff must serve, and file proof of such service, all unserved Defendants. The failure to file proof of service of the remaining Defendants by **Friday, November 18, 2022**, will result in dismissal of the action against them without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

Dated this 8th day of November, 2022.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE